Sectt. II-27—25,006—27-10-33.

(1934) Department.

SERIES.

G.O. No.	1627
DATED	5- x- 34

[Despatch Abstract.]

C.F. 31

Revenue **DEPARTMENT.**

CURRENT No. 2337F

Received 19 *Registered* 22-5-34 19

Subject

Alienation.— Land and Revenue- Buildings -(South Kanara dipi taluk- Mudanidambur village- S.No.105-1 - Swamiar for the time being of the Admar mutt.- Coronation Chattram Udipi- Recommended

ENCLOSURES.
No.
Spare copies

Reference.. No.B 1538/34--2

Station Madras, *Dated the* 18th May 1934 19

From
A.R.C. Westlake Esq., I.C.S.,
Secretary,

~~The~~ Board of Revenue, Land Revenue. ~~Revenue~~ Settlement, ~~etc.~~
~~Separate Revenue.~~

~~Resolution~~
~~Reference.~~

The Hon.Mr.C.A.Souter, C.S.I.,I.C.S.,
Member of Land Revenue.-

Read the following:-

Letter from C.M.Gawne Esq., I.C.S., Collector of South Kanara, Ref.B3-2868-33 dated the 2nd May 1934.

Reference

At the instance of the Collector of South Kanara, the Board recommends the alienation of the private land comprised in S.No.105-1 with the buildings thereon in Mudanidampur village, Udipi taluk, measuring Ac. 0-30 in

favour of the Swamiar for the time being of the Admar Mutt for use as the site of Coronation Chattram

2. In their order No.2099 Ms., Revenue, dated 14-10-1929, the Government sanctioned the alienation of S.No.105-1 of Mudanidambur village measuring 50 cents with the building thereon in favour of the District Board, South Kanara, for the purpose of the Udipi Coronation Chattram. As the building was kept in a neglected condition, the Collector brought the matter in 1932 to the notice of the President, District Board and requested him to effect the necessary repairs within six months time. Some improvements were subsequently carried out but in May 1933 the Collecto after inspection noticed that the rooms and premises were still untidy and that the general condition of the Chattram was such as to keep away decent travellers. The Collector again asked the President, District Board, whether it was possible to put up a mud compound wall around the Chattram and to arrange to keep th rooms and premises cleaner. The District Board thereupon resolved either to hand it over to the Taluk Board, Udipi, or relinquish it with a view to resumption as it was unnecessary to spend any money on a building not required by it. It transpired during the course of the enquiry that the building in question was built by the eight mutts of Udipi and handed over to the Taluk Board Udipi by the Swamiar of the Admar Mutt. The chattram is maintained as a free chattram for the use of the pilgrims coming to the place. The Collector reports that was after personal discussion and correspondence with the guardian of the Swamiar of the Admar mutt that he agreed to take up the maintenance of the chattram. The Taluk Boards have been abolished from 1-4-34 and there is no public body which is in a position to spend any money towards the repairs of the building to maintain the building in good condition. As the original donors of the building are the mutts and as the chattram is mostly used by pilgrims who go to the famous Sri Krishna temple at Udipi (belonging to the Mutts) the Collector considers it desirable to alienate the site and the building to one of the mutts. The building conditions

usually imposed in such cases have been relaxed to some extent as there is none to take up the chattram on other terms; as the District Board relinquished the building and as it was after considerable personal persuasion by the Collector and the Tahsildar that the Mutt agreed to take over the building. The Board is sanctioning the resumption of the land and the building from the District Board.

3. The alienation will be free of charge for the occupancy right and free of ground rent but subject also to the following conditions to which the alienee has agreed:-

(i) The land and the building shall be used as the sit of a chattram and for no other purpose.

(ii) The grantee shall maintain the building in good condition by executing the necessary repairs from time to time and Government may resume the land in the event of default.

(iii) No alterations other than those necessary to kee the building in good condition shall be made to the existing building nor shall any new building be erected on the site without the previous permission of the Collector.

(iv) The Chattram shall be open to all travellers irrespective of caste and creed except to Adi dravidas without payment of any rent.

(v) The grantee shall be at liberty with the previous approval of the Collector to frame rules generally with regard to the use of the chattram by the travellers and regarding the duration of halt.

(vi) The grantee shall not use the chattram for his private benefit nor lay any claim to it.

(vii) The land shall not be alienated without the

previous permission of the Collector of the district.

(viii) The chattram shall be managed and maintained efficiently to the satisfaction of the Collector of the district.

(ix) The District Board shall have a right to use the way leading to the well which exists within the compound of the chattram and to use the water of the well provided the District Board does not employ Adi Dravidas for the purpose.

(x) The Government may resume the land wholly or in part with the buildings thereon in the event of the infringement of any of the conditions of the grant or if in the opinion of the Government, the land is required for a public purpose or for conducting mining operations ~~or if the building is not maintained properly.~~

(xi) In the event of such resumption, if there are buildings on the land, the Government may at their option either,

(a) purchase the buildings, or

(b) allow the grantee to purchase the land at its value on the date of sale, or

(c) direct the grantee to remove the buildings.

(xii) In the event of the resumption of the land followed by purchase of the buildings under clause (xi)(a) or in the event of the acquisition of the land for any other reason, the compensation payable therefor shall, in no case exceed the initial cost or the value at the time of resumption or acquisition, whichever shall be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention condition (iii).

(xiii) In the event of the grantee refusing to remove the buildings when so directed under clause (xi)(c), the Government may remove them and realise the cost of removal by the sale of the

(xiv) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected,or other works that may have been executed on the land by the grantee at his cost.

(xv) Full ground rent shall be levied if at any time it is found that any income is derived from the land.

4. The Board sanctions the resumption of S.No. 105-1 of Mudanidambur village,Udipi taluk, measuring 50 cents with the building thereon which was alienated in G.O. 2099 Mis., Revenue, dated 14-10-1929 in favour of the District Board, South Kanara for the purpose of the Udipi Coronation chattram.

x x

V. Doraiswamy 21.5.34
for Secretary.

To the Secretary to Government, Revenue Department, with alienation statements and a sketch.(paras.1 to 4 only)
To the Collector of South Kanara, paras. 4 & 5 only.

M.D.21—5

21/5

Application for the alienation of land in which the proprietory right belongs to the State,

District- South Kanara. Taluk Udipi.

1. Description and area.	S.No. 105-1 measuring 50 cents of Muda-nidambur village, Udipi taluk.
2. Market value.	Rs. 1250
3. Alienee and purpose of alienation.	The Swamiar of the Admar Mutt, Udipi - fo Coronation chattram at Udipi.
4. Collector's remarks.	Recommended.

Application for the alienation of land revenue payable to Government.

District- South Kanara.

1. Description and area.	S.No. 105/1 measuring 50 cents of Muda-nidambur village, Udipi taluk.
2.a. Annual assessment or ground-rent.	Rs. 3-2-0
b. Capitalised value (25 times assessment or ground rent).	Rs.78-2-0
3. Alienee and purpose of alienation.	The Swamiar of the Admar Mutt, Udipi- for the purpose of the Coronation chattram, Udipi
1. Collector's remarks.	Recommended.

Eyesketch

9

R.F. XVII-26
District South-Kanara

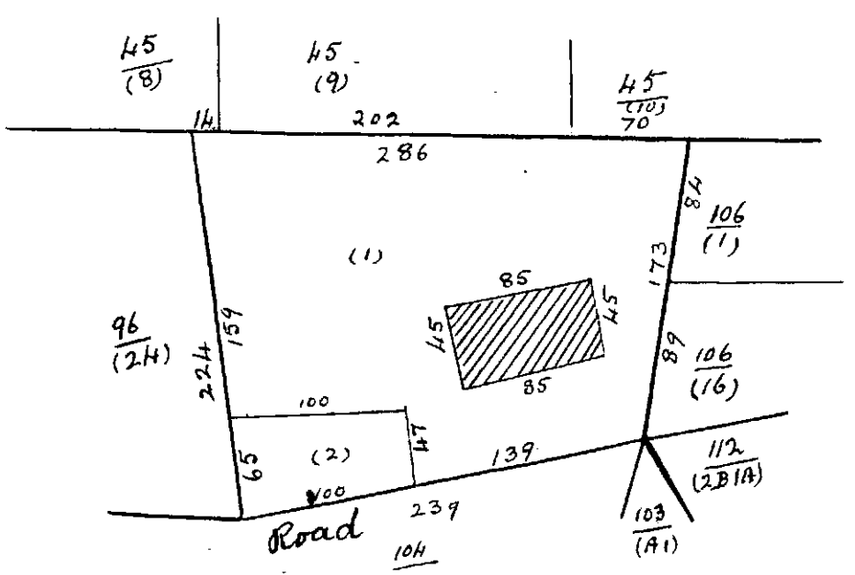
R. F. XVII-26—800,000—1-1-38

Village { No. 69
Name Moudamidambur

Taluk. Udipi

Field No. 105

Area 0 - 56 Acres



Index

Survey Number	Subdivision	Kadim or Hos.	Classification	Number and name of Pattadar	Name of Moulagenidar if any.	Remarks
45	8	Kadim	Wet	7. Thalia Bai	..	..
	9	do	do	26. Thimmaya shetty	..	..
	10	do	do	15. N. Sundara Rao.	..	..
106	1	do	garden	259 Ananthakrishna Rao.	Ganjeva Rao	..
	16	do	do	390 Gouramma	- do -	..
112	2B1A	..	Porambok	..	..	Road
103	A1	..	do	..	..	do
104	—	..	do	..	..	do
96	24	Kadim	garden	1 Abdulla saheb.		~~Cart stand~~ Cart-stan
105	1	..	Porambok		..	
	2	..	dry			govt.
	Chathram			Alienated to the District Board, in Collector's R.O.C. 1083-29. A6 dated 28.10.29 for		govt. Land ka

'Coronation Chatram'.

K. Thoma
Thanbhogue
13-4-1934

Head Clerk
Tahsildar 16.4.34

Scale inch=One Chain.

Rev dept

O.M. No. 2337 F/36-1 dt 20.6.38

Alienation – Land, Rev & Buildings – (South Kanara) – Udipi TK – Mudambur village – S. No. 105-1 – Sriman for the time being of the Admar Mutt – Commutation Chatram – Bd's refce No. B 1538/36-2 dt 18.5.38

cf

The attention of the Bd of Rev is invited to conditions (iv) and (ix) of the conditions of alienation proposed by it whereby Adi-Dravidas are debarred from using the chatram and from drawing water from the well. The Govt consider that ~~in these days~~ it would be improper to impose or countenance any such restriction on the use of Govt land; (and ~~suggest that~~) the land should ~~either~~ be assigned to the Mutt on such terms as to market value and ground rent as shall appear reasonable or alienated free of ~~market value and~~ ground rent without any restrictions whatever on Adi-Dravida

The Bd is requested to ~~offer~~ ~~its remarks~~ ~~on~~ ~~this~~ ~~suggestion~~ alternative proposals.

Submit revised proposals in accordance with the

9/
18-6-84.
Mott.

19/6

The Bd of Rev (L.R.H.)

20.6.84

Dpd.
Dpr.'s i
Date

C.F. 31

Revenue DEPARTMENT.

CURRENT No. 3335F

Received 2 [illegible] 1934 19 Registered 2-8-34 19 .

Subject.

Alienation - Land Revenue and Buildings (South Kanara) Udipi Taluk - Mudanidambur Village - S.No.105/1 - Coronation chattram-swamiar for the time being of the Admar Mutt.

Enclosures.
No.
Spare copies

Reference No.B.1538-34-4

Station Madras *Dated the* 30th July 19 34.

From
A.R.C.Westlake Esquire, I.C.S.,
Secretary,
Land Revenue. and
The Board of Revenue, ~~Revenue~~ Settlement, ~~etc.~~
~~Separate Revenue.~~
C.A.Souter Esquire, C.S.I., I.C.S.,
Commissioner of Land Revenue

Resolution
Reference.

Read the following:-

Memorandum from Government, Revenue Department, No.2337 F/34-1, dated 20th June 1934.

Letter from E.M.Gawne Esq., I.C.S., Collector of South Kanara, Ref.B3-2768-33, dated 24-7-1934.

Reference.-

Mr.M.Venkobachar, guardian of the present Swamiar of the Admar Mutt has since agreed to the revised conditions in lieu of the two objected to by the Government. A copy of the statement recorded by the Tahsildar of Udipi is enclosed. The alienation may now be sanctioned.

for Secretary. 1.8.34

To the Secretary to Government, Revenue Department
with a copy of the statement.

p.t.o.

Statement of Mr. M.Venkobachar son of Vyasacharia residing in Admar Mutt, Udipi, guardian of the Minor Swamier of Admar Mutt recorded by the Tahsildar of Udipi on 16th July 1934.

'I have had read to me the proceedings of the Board of Revenue Ref.No.B.1581-34-3 dated 28th June 1934 communicated in South Kanara Collector's Ref. B3--2768--33 dated 4th July 1934 regarding the conditions of alienation of the building and site of the Coron tion Chuttram at Shiribeedu in Udipi Town. I on behalf of the Admr Mutt Swamier whose guardian I am, have no objection to the revised conditions 4 and 9 and accept them and agree to abide by them, These conditions are that the Chattram shall be open to all travellers irrespective of caste and creed without payment of any rent and that the District Board shall have a right to use the way leading to the well which exists within the compound of the chattram and to use the water of the well. I accept the alienation on the above conditions among others already agreed to by me.

(Sd). M.Venkobachar

16-7-1934.

Read out to the deponent in Kanarese admitted by him to be correctly recorded and signed in my presence.

(Sd) J. F. Rego,
16-7-'34
Tahsildar.

Govt
Bds

Rev dept

(36)

Alienation – Land, Rev and Bdg –
(S. Kanara) – Udipi Tk – Medanidambur village –
S. No 105-1 – Summiar for the time being of the
Admar mutt – Commercial chatram.

cf G. No 2337 F/34] From the Bd of Rev (L. R4) Rcpre No B 1538/34-29 18.5.34

TO R.S.

p 1 of G.O. 2099 Rev (T) 14.10.29

In Sept 1929 the Bd of Rev recommended the alienation of three plots of land in Udipi Tk in favour of the Dt Bd, South Kanara for use as the sites of a chatram (Udipi Commercial Chatram) and two travellers bungalows. As regards the chatram, it was reported that it was built at the time when the Collr and the RDOs were Presidents of Local Bds, that no information was available except the fact that it was made over to the Local Funds dept but that the P.D.B was not able to say when and by whom and that the Collr could not explain why no steps were taken to alienate the site earlier to the Dt Bd. ~~It~~ In G.O. No 2099 Rev dt 14.10.29, the Govt sanctioned the alienation of the sites of the chatram and the travellers bungalows.

2. The Bd of Rev now reports that it transpired during the course of enquiry that the chatram was built by the ~~sist~~ eight

mutt of Idifi and handed over to the N Bd, Idifi by the Swamias of the Admar mutt. In the circumstances stated in para 2 of the Bd's repre in the cf, the Bd has sanctioned the resumption of the chatram together with its site from the St Bd and has recommended their alienation to the Swamias for the time being of the Admar mutt subject to conditions. It is for orders whether the Bd's recommendation will be accepted. — pp 2 & 3 of para 6 at p 5 of para 1 at pp 1 & 2 of para 3 at pp 3 - 5 of

3. The words "and Govt may resume the land in the event of default" at the end of condition (ii) may be omitted and the words "or if the building is not maintained properly" may be added at the end of condition (X). — as this is covered by condition (ix)

4. Subject to orders, a draft order is submitted for approval. It may be sent to C.S.E for acceptance

9
6.5.34.
hr
26/5

30.5.34
S

The note makes no mention whatever of the restrictions in G.O. Dominion - (iv) in p. 3 of and (ix) in p. 4 of.

Are there any orders which explicitly or implicitly forbid or discourage such

Restriction?

I fail to see mention of the Restriction in (1) : and I do not see why Govt. should make a grant of land and land revenue to an institution which excludes Adi Dravidas.

(4) (15)

To U.S.

Secy's query at 'K' above:

In the case of lands alienated for schools, Law Secy suggested that such lands should be in localities which are accessible to members of all communities. It was thereupon ordered that one of the conditions of alienation should be that the school should be open to members of all communities.

2. In the case of alienation of a land in Kelamangalam village, Hosur Tk, Salem Dt, for the purpose of a choultry, the alienee objected to the usual condition that the choultry should be open to persons of all castes. The R.D.O. pointed out that it would be premature to expect the alienee to agree to admit the depressed classes to the choultry in an out-of-the-way village like Kelamangalam ~~village~~ and recommended an amendment of the condition whereby the

chantry would be open to all Hindus except the members of the depressed classes. The Colls supported the ~~Bd~~ R.D.O's recommendation but the Bd considered that the usual condition should be imposed. Vide Secy's remarks at p 12 of G.O. No 1223 Rev Dy 13.6.32 in that connection.

3. In the case referred to in para 2 above, the building was erected without valid authority... But in the present case the building was constructed by the eight men Hindus and handed over to the Dk Bd, duly by the Swamiar of the Admar Mutt the Bd has reported that the building conditions usually imposed in such cases have been relaxed to some extent as there none to take up the chairman or other terms and as it was after considerable personal persuasion by the Colls and the Tahsildar the Mutt agreed to take over the building. In these circumstances, it is for Govt whether conditions (IV) and (IX) proposed by the Bd will be accepted.

para 2 at p 2 of (X)
There is nothing to show that they would have any objection for the occupation.
para 2 at p 2 of

It is not likely that any members of the D.C.S. will in fact seek admission to the chantry. Perhaps Condition iii may be omitted altogether. There seems to be no harm in

The chattram was built (when is not stated, but as it is called "Coronation Chattram" it was presumably about 1901 - accession of Edward VII - or 1910 - accession of George V) by certain mutts of Udipi, apparently without getting formal permission to occupy the land.

It was handed over by the mutts to the Taluk Board. In 1929 the land was alienated to the District Board, free of ground rent.

The District Board has neglected the chattram, and wants to get rid of the obligation to maintain it.

The Admar Mutt has (with some reluctance) agreed to take it on.

2. The question is whether Adi-Dravidas should be debarred from using the chattram and from drawing water from the well.

The land belongs to Government, and I consider that in these days it would be improper to impose or countenance any such restriction on the use of Government land.

The alternatives are either to assign the land to the Mutt on such terms as to market value

and ground rent as shall appear reasonable, or to alienate it, free of ground rent, without any restrictions whatever on Adi-Dravidas. The matter may be referred back to the Board.

Circ. 13.6.36.

To U.S.

With reference to 'A' above, it is presumed that the alienation will be free of market value also. A draft O.M. to the Bd of Rev is submitted for approval

8.6.36.

19/6

M. No. 2387.F/36-1 dt 20.6.36.
from the Bd of Rev (A. & R.) Refce No. B 1538/36-4 dt 30.5.36

ff 11 & 12 c
ff 13 & 14 c

To U.S.

Please see the notes from ff/ante, & O.M. at ff 11 & 12 c and the Bd's refce

2. The Mutt has agreed to the omission of the words "except to Adi Dravidas and" provided the Bd does not employ Adi-Dravidas for the purpose" in conditions (iv) and (ix) respectively. It is for orders whether the alienation will now be sanctioned.

3. The draft ord originally submitted has been amended and is for approval. It may be sent to L.S.G for acceptance.

3.1.990

6.8.34.

7.8.34

S

L.S.G.

Gen work: 2337 F 34.2

8.8.34

L. S.G.

The draft may be accepted and the case returned to Rev. Dept.

To L.S.G

Rev Dept

L&S Leg 31990-1E2

13-8-34

For orders as to issue

Government of Madras

Received.....1934. Registered.....1934

Abstract.

Revenue Department.

G.O. No. Mis. 1627 Dated the 15. 8. 1934.

(T) G.O.No. 2099 Rev dy 16.10.29. Read the following:-

L. No 2332 F/36 From the Bd of Rev (A.R.4) Rcpt No B 15-38/36-2 dy 18.5.3

M.M.H.24 To ——— do ——— O.M.No 2337 F/36-1 dy 20.6.36

M.M.H.4 From ——— do ——— Rcpt No B 15-38/36-6 dy 30.7.3

Order :-

The Government sanction the alienation of the plot (50 cents in Mudamidambur) of land in S.No 105-1 measuring village Eledibi Taluk, South Kanara (with the buildings thereon) District, in favour of the Swamiar for use as for the time being of the Admar mutt for the purpose of the Sannatin chatram

2. The alienation will be free of charge for the occupancy right and free of ground rent

subject to the following conditions:---

(1) The land (and the buildings thereon) shall be used for the purpose of a chatram and for no other purpose.

(2) The grantee shall maintain the building in good condition by executing the necessary repairs from time to time.

(3) No alterations other than those necessary to keep the building in good condition shall be made to the existing building nor shall any new building be erected on the land without the previous permission of the Collector of the District.

~~(2) The buildings shall be constructed within from the date of the grant.~~

(4) The chatram shall be open to all travellers irrespective of caste or creed without payment of any rent.

(5) The grantee shall be at liberty with the previous approval of the Collector to frame rules generally with regard to the use of the chatram by the travellers and regarding the duration of halt.

(6) The grantee shall not use the chatram for his private benefit nor lay any claim to it.

(7) The land shall not be alienated without the previous permission of the Collector.

(10) ~~(3)~~ The Government may resume the land, wholly or in part, with any buildings thereon, in the event of the infringement of any of the conditions of the grant, or if in the opinion of the Government, the land is required for a public purpose, or for conducting mining operations ~~if the building is not kept in good~~ maintained

(11) In the event of such resumption, if there are buildings on the land, the Government may, at their option, either

(a) purchase the buildings, or

(b) allow the grantee to purchase the land at its value on the date of the sale, or

(c) direct the grantee to remove the buildings.

(8) The chatram shall be managed maintained efficiently to the satisfaction of the Collector.

(9) The ryots shall have a right to use the way leading to the well which exists within the compound of the chatram and to use the water of the well ~~provided the ryots do not employ any devices for the purpose.~~

(12) In the event of the resumption of the land followed by purchase of the buildings under condition (11) (a), or

in the event of the acquisition of land for any reason, the compensation payable therefor shall in no case exceed the initial cost, or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. But in no circumstances shall any compensation be paid by the Govt in respect of buildings constructed in contravention of condition (3).

(13) In the event of the grantee refusing to remove the buildings, when so directed under condition (11) (c), the Government may remove them and realise the cost of the removal by the sale of the materials.

(14) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee at his cost.

(15) Full premium rent shall be levied if at any time any net income is derived from the land.

To
The Bd of Rev (L. Rel)
" L. S. G dept

26.5.34.
b
2815

26.5.34
7.8.